

CASECLOSED,JUDGE

**United States District Court
District of Puerto Rico (San Juan)
CIVIL DOCKET FOR CASE #: 3:17-cv-02379-CCC**

Sanchez-Lebron et al v. National Personnel Records Center et al	Date Filed: 12/27/2017
Assigned to: Judge Carmen C. Cerezo	Date Terminated: 07/12/2019
Case in other court: Superior Humacao Court of Puerto Rico, CS1955-0732	Jury Demand: None
Cause: 28:1361 Petition for Writ of Mandamus	Nature of Suit: 895 Freedom of Information Act
	Jurisdiction: U.S. Government Defendant

Plaintiff

Miriam Sanchez-Lebron

represented by **Carlos Gabriel Garcia-Miranda**
Garcia & Rivera LLC
707
954 Ponce de Leon Ave
San Juan, PR 00907
7872364244
Email: garciamirandalaw@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Carlos Manuel Sanchez-Lebron

represented by **Carlos Gabriel Garcia-Miranda**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

National Personnel Records Center

represented by **Hector Ramirez-Carbo**
United States Attorneys Office
District of Puerto Rico
Torre Chardon Suite 1201
350 Chardon Ave
San Juan, PR 00918
787-766-5656
Fax: 787-766-6219
Email: hector.e.ramirez@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

**Defense Finance and Accounting
Service**

represented by **Hector Ramirez-Carbo**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Department of Veterans Affairs

represented by **Hector Ramirez-Carbo**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

United States of America

represented by **Hector Ramirez-Carbo**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/27/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$400 receipt number PRX100053205.) filed by Miriam Sanchez-Lebron, Carlos Manuel Sanchez-Lebron, pro se. Service due by 3/27/2018. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Exhibit, # <u>27</u> Exhibit, # <u>28</u> Exhibit, # <u>29</u> Civil Cover Sheet, # <u>30</u> Category Sheet, # <u>31</u> Receipt) (idg) (Additional attachment(s) added on 12/29/2017: # <u>32</u> Exhibit) (idg). Modified to add receipt number on 1/2/2018 (idg). (Entered: 12/29/2017)
12/27/2017	<u>2</u>	Summons Issued as to Defense Finance and Accounting Service, Department of Veterans Affairs, National Personnel Records Center. (idg) (Entered: 12/29/2017)
01/04/2018	<u>3</u>	MOTION to Appoint Counsel filed by Miriam Sanchez-Lebron, pro se. Responses due by 1/18/2018. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (idg) (Entered: 01/08/2018)
01/04/2018	<u>4</u>	**SELECTED PARTY** FINANCIAL AFFIDAVIT in Support of Motion Requesting Appointment of Counsel filed by Miriam Sanchez-Lebron, pro se. (idg) (Entered: 01/08/2018)
01/16/2018	<u>5</u>	SUMMONS Returned Executed by Miriam Sanchez-Lebron, pro se upon Defense Finance and Accounting Service served on 1/2/2018, answer due 01/23/2018. (idg) Modified to edit service and answer due date on 1/17/2018 (idg). (Entered: 01/16/2018)
01/16/2018	<u>6</u>	SUMMONS Returned Executed by Miriam Sanchez-Lebron upon Department of Veterans Affairs served on 1/3/2018, answer due 1/24/2018. (idg) (Entered: 01/17/2018)
01/16/2018	<u>7</u>	CLERK'S NOTICE OF DEFECTIVE PLEADING. Service Date/Date of Delivery are not provided as Proof of Service. (Attachments: # <u>1</u> Summons) (idg) (Entered: 01/17/2018)
06/12/2018	<u>8</u>	ORDER denied <u>3</u> pro se Motion to Appoint Counsel. Plaintiff shall retain counsel by 7/12/2018. Signed by Judge Carmen C. Cerezo on 6/8/2018. (mld) (Entered: 06/12/2018)
07/05/2018	<u>9</u>	NOTICE of Appearance by Carlos Gabriel Garcia-Miranda on behalf of All Plaintiffs (Garcia-Miranda, Carlos) (Entered: 07/05/2018)
10/26/2018	<u>10</u>	ORDER granted <u>9</u> Motion Assuming Plaintiffs' Legal Representation by Carlos Garcia Miranda, Esq. Clerk and parties to take notice. Signed by Judge Carmen C. Cerezo on 10/26/2018. (mld) (Entered: 11/01/2018)
11/06/2018	<u>11</u>	MOTION Requesting Order to Serve Summons and Copy of the Complaint, MOTION for extension of time until 30 days to Serve Summons and Complaint filed by Carlos Gabriel Garcia-Miranda on behalf of all Plaintiffs. Responses due by 11/20/2018. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Garcia-Miranda, Carlos). Added MOTION requesting Order on 11/13/2018 (idg). Modified termination date on 2/7/2019 (idg). (Entered: 11/06/2018)
02/04/2019	<u>12</u>	ORDER granting <u>11</u> Motion Requesting Leave to Serve Summons and Copy of the Complaint. Plaintiffs shall file proof of service upon the United States of America within 30 days after notice of this order. Signed by Judge Carmen C. Cerezo on 2/4/2019. (ft) Modified filing date on 2/7/2019 (idg). (Entered: 02/05/2019)
02/08/2019	<u>13</u>	NOTICE of Filing Exhibits SUMMONS re <u>11</u> MOTION for extension of time until 30 days to Serve Summons and Complaint MOTION requesting Order filed by Carlos Manuel Sanchez-Lebron, Miriam Sanchez-Lebron (Attachments: # <u>1</u> Summons US ATTORNEY DISTRICT OF PR, # <u>2</u> Summons US ATTORNEY GENERAL) (Garcia-Miranda, Carlos) (Entered: 02/08/2019)
02/12/2019	<u>14</u>	Summons Issued as to United States of America. (Attachments: # <u>1</u> Summons in a Civil Action) (rim) (Entered: 02/12/2019)

02/28/2019	<u>15</u>	MOTION to Dismiss/Lack of Jurisdiction <i>Motion to Dismiss for Lack of Subject Matter Jurisdiction</i> as to Defense Finance and Accounting Service, National Personnel Records Center, United States of America, Department of Veterans Affairs, MOTION to Dismiss for Failure to State a Claim <i>For Which Relief May Be Granted</i> filed by Defense Finance and Accounting Service, National Personnel Records Center, United States of America, Department of Veterans Affairs Responses due by 3/14/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Attachments: # <u>1</u> Exhibit Declaration of Kevin Pratts, # <u>2</u> Exhibit Declaration of Michelle Clifford, # <u>3</u> Exhibit Supplemental Declaration of Michelle Clifford, # <u>4</u> Exhibit Declaration of Daniel Masa)(Ramirez–Carbo, Hector) (Entered: 02/28/2019)
02/28/2019	<u>16</u>	ANSWER to <u>1</u> Complaint,, filed by Hector Ramirez–Carbo on behalf of Defendants Defense Finance and Accounting Service, Department of Veterans Affairs, National Personnel Records Center, United States of America.(Ramirez–Carbo, Hector) (Entered: 02/28/2019)
03/19/2019	<u>17</u>	AFFIDAVIT of Service by Miriam Sanchez–Lebron, Carlos Manuel Sanchez–Lebron upon United States of America served on 2/14/2019, answer due 3/7/2019. (Attachments: # <u>1</u> Exhibit 1) (Garcia–Miranda, Carlos) (Entered: 03/19/2019)
04/11/2019	<u>18</u>	INFORMATIVE Motion regarding Absence From Jurisdiction from June 17, 2019, through June 30, 2019 filed by Hector Ramirez–Carbo on behalf of Defense Finance and Accounting Service, Department of Veterans Affairs, National Personnel Records Center, United States of America Responses due by 4/25/2019. NOTE: Pursuant to FRCP 6(a) an additional three days does not apply to service done electronically. (Ramirez–Carbo, Hector) (Entered: 04/11/2019)
07/12/2019	19	MINUTE ORDER: Defendant United States of America's <u>18</u> Informative Motion Regarding Absence from Jurisdiction filed on 4/11/2019 is NOTED. Signed by Judge Carmen C. Cerezo on 7/12/2019. (mld) (Entered: 07/12/2019)
07/12/2019	<u>20</u>	JUDGMENT: Defendants' <u>15</u> Motion to Dismiss for Failure to State a Claim is treated by the Court as a Motion for Summary Judgment, and Summary Judgment is GRANTED in favor of the defendants. Defendants' Motion to Dismiss for Lack of Subject–Matter Jurisdiction is DENIED. Signed by Judge Carmen C. Cerezo on 7/12/2019. (mld) (Entered: 07/12/2019)